

MRM: APW  
F. #2021R00363

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

IN THE MATTER OF THE SEARCH OF  
A 2005 CHEVROLET IMPALA, VIN  
NUMBER 2G1WFS2E859371783, WITH  
LICENSE PLATE NUMBER FAK4768

AFFIDAVIT IN SUPPORT  
OF A SEARCH WARRANT  
No. 21-MJ-449

**AFFIDAVIT IN SUPPORT OF AN**  
**APPLICATION UNDER RULE 41**  
**FOR A WARRANT TO SEARCH AND SEIZE**

I, Daniel Fandrey, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure to search a Chevrolet Impala (referred to as the “SUBJECT VEHICLE”) as described in detail in below and in Attachment A, for the evidence described in Attachment B.

2. I am Task Force Officer with the Federal Bureau of Investigation (“FBI”) Crime Against Children and Human Trafficking Unit (the “Task Force”) and have been since 2017. I have been a police officer since 2007. I have participated in numerous investigations of child exploitation cases similar to the offense to which the instant investigation relates. I have experience executing search warrants involving cars, homes, cell phones and other electronic devices.

3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code, Sections 2422(b) (Coercion and Enticement of a Child) and Title 21, United States Code, Section 841(a)(1) (Possession of a Controlled Substance with Intent to Distribute) (the “SUBJECT OFFENSES”) have been committed by an individual named Kevin Will. There is also probable cause to search the property described in Attachment A for evidence and instrumentalities of these crimes as further described in Attachment B.

#### **THE SUBJECT VEHICLE**

5. The SUBJECT VEHICLE is currently located in the parking lot of West Hampton Impound Lot of the Suffolk County Police Department. The SUBJECT VEHICLE is a Chevrolet Impala, Vin Number 2G1WFS2E859371783 with license plate number FAK4768.

**PROBABLE CAUSE**

6. On or about March 4, 2021, the FBI was investigating a Kik<sup>1</sup> chat room identified as “LongIslandDLMenOnly.”<sup>2</sup> One of the Kik chat room users identified during the investigation was display name “Kevin Will” with user name “Southshore27” (the “Kevin Will account”). The Kevin Will account responded to a post in the chat room in which a father – who was actually an undercover law enforcement officer – posted that he was going on vacation with his son to Long Island and looking for things to do. The Kevin Will account then sent a private message to the “Father” asking for more information, which initiated a further conversation over private messages.

7. During the conversation, the Kevin Will account and the “father” engaged in further discussions with the “father” stating he was 38 years old and his son was almost 11 years old. During the conversations, the Kevin Will account expressed an interest in pursuing oral and anal sexual contact with the son, and the “father” indicated he would like to observe the sexual contact. The Kevin Will account made arrangements to meet the “father” at a coffee shop in Farmingdale, New York on April 8, 2021, to determine the validity of the father’s statements and to arrange to meet the son. The Kevin Will account also stated that he would bring extra small women’s underwear and “party supplies” that he referred to as “ski.”

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<sup>1</sup> Kik Interactive Inc. is a company that offers a free instant messaging mobile application (app), Kik Messenger. The app is commonly just called Kik. Kik markets itself as “the only chat platform built especially for teens and as a clear leader in chatbots, Kik will become the central hub for everyday life for teens across the world as we grow.” Through the app, users can transmit and receive messages, photos, videos, sketches, mobile webpages, and other content, both publicly (to all users or groups of users) and privately (to a specific user).

<sup>2</sup> Based on my training and experience and participation in this investigation, the Kik chat room “LongIslandDLMenOnly” is a chat room where people communicate about homosexual sexual activity that is cover in nature and the designation “DL” implies “down low,” or hidden.

8. Based on my training and experience, I know that “ski” is a slang term for cocaine.

9. On April 8, 2021, at approximately 4:17pm, the Kevin Will account texted the father “naughty to get him panties and stuff.” Around the same time, the Kevin Will account texted the “father” a picture of an Xbox Live Gold card with a question mark. The “father” responded, “Yes. Perfect.” In the picture, a red shopping cart from Target can be seen in the background.

10. On April 8, 2021, at approximately 5:00 P.M., the Task Force was conducting surveillance at the coffee shop in Farmingdale, when the defendant, KEVIN WILL, arrived at the coffee shop. The defendant was driving the SUBJECT VEHICLE. The “father” and the Kevin Will account had previously exchanged Kik messages that same day about the clothing they were wearing so that they could recognize each other. During a conversation at the coffee shop, the “father” informed the defendant that the son was back in a room at a hotel in Melville, New York. The “father” also showed the defendant a photo of a child purported to be the son. The “father” provided the defendant the name of the hotel in Melville and asked the defendant to wait in the car when he arrived at the hotel. The defendant and “father” drove separately to the hotel in Melville. The defendant drove the SUBJECT VEHICLE to the hotel.

11. At approximately 5:15 P.M., the agents observed the defendant arrive in the SUBJECT VEHICLE at the Melville hotel where the son was purportedly located. The defendant waited in the SUBJECT VEHICLE. After a few minutes the “father” texted the Kevin Will account the room number, which was on the third floor of the hotel. The defendant then

entered the hotel, took the elevator to third floor, and walked toward the room on the third floor in which the son was purportedly located. Just prior to reaching the designated room, the Task Force arrested the defendant. At the time he was arrested, the defendant had in his possession, among other items, two lubricants (“Astroglide Premium” and “Eden Fantasy Personal Lubricant”), a box of trojan ultra-thin latex condoms, an Xbox Live Gold gift card, two pairs of small and extra-small women’s underwear, two bottles of whiskey, and a quantity of a white powdery substance. These items were contained inside a Target shopping bag.

12. At the time the defendant was arrested he had a receipt in his pocket. The receipt was from a Target located at 838 Sunrise Highway in Bay Shore at dated April 8, 2021 at 4:25 P.M. The receipt was for a number of prescription medications, although the specific medication was not listed on the receipt.

13. No receipt for the Xbox Live Gift card, women’s underwear, condoms, whiskey or lubricants was recovered from the defendant’s person.

14. After the defendant was arrested, agents observed small white bags that they recognized as prescription medication bags on a seat in the SUBJECT VEHICLE. The SUBJECT VEHICLE was towed to the West Hampton Impound Lot of the Suffolk County Police Department where it currently remains.

15. After the defendant was arrested, as part of routine questioning, I asked the defendant about any medical conditions he had. I mentioned to the defendant that there appeared to be prescription medications in the car and asked if he needed any of the medications. The

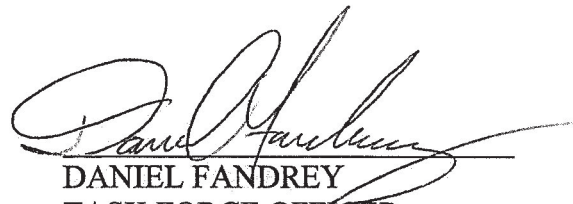
defendant replied that the medications were a generic form of the erectile dysfunction medication known as Cialis, as well as medication for depression.

16. A field test of the white powdery substance recovered from the defendant was positive for cocaine.

17. Based on my training and experience, I know that individuals mix cocaine and erectile dysfunction drugs to increase the effects of the controlled substances during sexual activity. Additionally, based on my training and experience, if the quantity of the Cialis that remains in SUBJECT VEHICLE is different than the amount of Cialis the defendant purchased at the Target store, it would indicate that he ingested a Cialis pill prior to going to the third floor of the hotel. This would be evidence of the defendant's intent to have sexual contact with the purported child.

**CONCLUSION**

18. I respectfully submit that this affidavit supports probable cause for a warrant to search the SUBJECT VEHICLE described in Attachment A and for the information described in Attachment B.

  
DANIEL FANDREY  
TASK FORCE OFFICER  
FBI CRIME AGAINST CHILDREN  
AND HUMAN TRAFFICKING UNIT

Subscribed and sworn to before me by telephone  
on April 12, 2021:

/s/ Steven Tiscione

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THE HONORABLE STEVEN L. TISCIONE  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK

**ATTACHMENT A**

*Property to be searched*

The SUBJECT VEHICLE is currently located at in the West Hampton Impound Lot of the Suffolk County Police Department. The SUBJECT VEHICLE is a Chevrolet Impala, Vin Number 2G1WFS2E859371783 with license plate number FAK4768.



**ATTACHMENT B**

*Property to be Seized*

**A. Evidence, Fruits, and Instrumentalities of the Subject Offenses**

The information to be seized from the SUBJECT VEHICLE include the following evidence, fruits, and instrumentalities of Title 18, United States Code Section 2422(b) and Title 21, United States Code Section 841(a)(1) (the “SUBJECT OFFENSES”), including:

1. Erectile Dysfunction medication, including Cialis;
2. Receipts from Target on April 8, 2021;
3. Receipts showing a purchase of women’s underwear, condoms, Xbox Live Gold Card, whiskey or lubricants;
4. Registration cards, insurance cards, mechanic bills or any other documents demonstrating who owned or used the SUBJECT VEHICLE;
5. Controlled substances and/or plastic baggies, pipes or other drug paraphernalia.